

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 986 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge? : NO

JASHVANTBHAI SHANABHAI RATHOD

Versus

STATE OF GUJARAT

Appearance:

THROUGH JAIL for Petitioner

MS SIDHDHI TALATI, APP for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 10/12/1999

ORAL JUDGEMENT

1. Reply to this Special Criminal Application is
filed which is taken on record.

2. Perused the papers of the Special Criminal
Application, reply thereto and heard the learned counsel
for the respondents.

3. The petitioner prayed for parole leave for a period of 15 days for the purpose of getting succession certificate. He can apply for succession certificate while in jail. For filing of this case, his release on parole leave is not necessary. Otherwise also, I have my own reservations whether within 30 days he could be able to get succession certificate. These proceedings have to take long time to come to an end. I do not find any justification in this prayer made by the petitioner. It is a fit case where this prayer of the petitioner deserved to be rejected. After filing of petition for succession certificate if the petitioner presence is necessary in court, he can apply for parole leave.

2. In the result, this Special Criminal Application fails and the same is dismissed. Rule discharged. No order as to costs.

(S.K.Keshote,J.)

(pathan)